

TOWN OF CLAYTON
Town Board of Supervisors
Meeting Minutes

7:00 P.M. – 8:48 P.M. on Wednesday, April 04, 2012

Town Office Meeting Room, 8358 County Road T, Larsen, WI 54947

I. Call to Order:

A. Pledge of Allegiance, Notice Verification, Roll

1. Town Board Chairman Luebke called the meeting to order at 7:00 P.M.
2. Pledge of Allegiance recited.
3. Meeting properly posted at three locations in the Town.
4. Roll

a. Board of Supervisors

Chair Luebke	PRESENT
Supervisor Geise	PRESENT
Supervisor Lettau	PRESENT
Supervisor Grundman Erdmann	PRESENT
Supervisor Schmidt	PRESENT

b. Staff

Administrator Johnston	PRESENT
Town Treasurer Bowen	PRESENT
Public Works Foreman Pamerter	PRESENT
Town Engineer Miller	PRESENT

II. Public Hearing:

- A. No Public Hearing.

III. Approval of Minutes:

- A. Regular Town Board Meeting – Wednesday, April 21st, 2012

MOTION:

Motion carried by unanimous consent to forward the Approval of the minutes of the Regular Town Board Meeting of March 21st, 2012 to the April 18th, 2012 Town Board Meeting. (Agenda was posted with incorrect date)

IV. Open Forum – Non-Agendized Town-related Matters:

- A. There were no requests to speak.

V. Correspondence:

- A. CY 2012 Winnebago County Land And Water Conservation Department Annual Report.
- B. Winnebago County Solid Waste Management Board Report

- VI. Discussion Items (No action will be taken.):
- A. County Supervisor Report
 - 1. No report
 - B. Winnebago County Sheriff's Department – Public Concerns and Issues
 - 1. Officer Nathan Olig – Report on the drug dealing in Trailhead Park
 - C. Clayton-Winchester Fire Department
 - Chief Mathison would like to inform the Board that the Department has received 29 calls year-to-date.
 - 1. 1 CO Check
 - 2. New Truck will be here in May, will be at Clayton Fest
 - 3. The new truck will be at FDIC in Indianapolis, IN
 - D. Larsen Winchester Sanitary District
 - 1. No Report
 - E. Administration Comments
 - 1. Administrator/Deputy Clerk
 - a. Public forums for subdivisions
 - b. Grant is complete
 - 2. Public Works Foreman:
 - a. Started mowing – with z-mower and borrowed mower – roughly 35 man-hours to mow all parks, and cemeteries with equipment we have. Does not include weed eating in cemeteries
 - b. Recycling center – continuing to get it going
 - 3. Treasurer:
 - a. Payroll is finished on time – reset the online banking and reenter all payroll deposit information
 - b. April 3, 2012 Presidential primary election – we are finishing the reports
 - c. Getting ready for Annual Meeting, the Board of Review, the Recall primary and election for May 8 and June 5, 2012 respectively
 - 4. Engineer:
 - a. Nothing new to report – continuing with work from last month's report
 - 5. Town Board:
 - a. Lettau reports Town of Clayton is number 4 in recycling
- VII. Licenses and Permits:
- A. Discussion/Action: Consideration and approval of Operator Licenses:
 - 1. No Operators Licenses
- VIII. Zoning – Town Board receipt, review, and consideration of Plan Commission Referrals:
- A. No Referrals
- IX. Green Space – Town Board receipt, review, and consideration of Green Space Committee Referrals:
- A. No Referrals
- X. Business:

- A. Discussion/Action: Town Board review and consideration of the Town's CY 2011 Town Audit as presented by Mike Konecny of Schenck SC the Town's auditing firm.

Attached please find copies of the CY 2011 Town Audit and Management Letter. Mike Konecny of Schenck, S.C., the Town's Auditors, will be in attendance at the Town Board meeting to present the Town Audit and Management Letter to the Board. As soon as the presentation is completed and the Town Audit and the Management Letter are accepted by the Board, staff will place the documents on the Town's Home Page (Thursday, April 5th, 2012). A representative from the Town's auditing firm, Schenck, S.C., will be in attendance at the Town's April 10th, 2012 Annual Meeting to present the Audit and Management Letter to the Town's Electors.

- Mike Konecny, C.P.A. presented the Financial Statements and the Management Letter
- Discussed the need of the Town using Fund Accounting software

MOTION:

No Motion on this agenda item.

- B. Discussion/Action: Town Board review and consideration of Resolution 2012-006 A Resolution Disallowing the Claim made by High Point Estates Inc. for damages as a result of the Special Fees levied by the Town for CY 2011 paving of the roads in the Plat High Point Estates.

Attached please find copies of documents relative to this issue including a copy of the Claim for Damages submitted by Douglas M. Fyfe as attorney for Orrin and Corliss Prindl and High Point Estates, Inc. Also attached is copy of model denial of claim notice provided by Richard W. Zalewski, Attorney for the Town's Insurance provider. Following the Board's action copies of Resolution 2012-006 disallowing the Claim made by High Point Estates Inc. as well as copies of the Notice of Denial of Claim will be sent to Douglas M. Fyfe as attorney for Orrin and Corliss Prindl, to Orrin and Corliss Prindl and to Richard W. Zalewski Attorney for the Town's Insurance Company. Please be advised that both the Town's Attorney and the Town's Insurance provider have recommended denying the Claim made by the Prindl's and High Point Estates, Inc.

MOTION:

Motion carried by unanimous consent to approve Resolution 2012-006 A Resolution Disallowing the Claim made by High Point Estates Inc. for damages as a result of the Special Fees levied by the Town of CY 2011 paving of the roads in the Plat High Point Estates.

- C. Discussion/Action: Town Board review and consideration of staff's recommendations relative to the purchase of Municipal lawn mowing equipment for the Town's Public Works Department.

As part of the Board's March 21st, 2012 meeting it was presented with a number of options relative to mowing the Town's parks and cemeteries. The Board directed the Administration to proceed with the option that allows staff to purchase mowing equipment that has secondary

uses: accordingly, Staff is recommending that the Town purchase equipment that has secondary uses at an estimated cost of approximately \$50,000.00. Specifically, staff would like to purchase one dedicated mower and a second unit that would consist of a small utility tractor with a gang mower attachment. The utility tractor would have a small bucket attachment in front, a PTO, the capacity to tow the Town’s powered rake, and box scrapers. These options will allow staff to use the equipment as a small loader and to do maintenance work on the Town’s Trails and drainage swales. In addition to the tractor mower combination, staff would like to purchase a broom attachment for the tractor that will allow staff to sweep street intersections, parking lots, and spills on Town Roads when they occur.

Attached, please find the proposal submitted by Service Motor Company for the mowing equipment staff would like to purchase. The cost of the proposed units from Service Motor Company breaks down in the following manner:

1. Kubota L424OHST Tractor	\$ 26,618.00
2. Kubota L2164 Sweeper	\$ 6,174.00
3. Land Pride AFM4211-31 All-Flex Mower	\$ 11,210.00
4. Kubota ZD326RP-60R Zero Turn Mower	\$ 11,498.00
5. Equipment Trailers	\$ 3,295.00
Total	\$ 58,795.00

In addition to the mowing equipment staff is recommending that the Town purchase two trailers to haul the equipment to the work site. The cost for the two trailers is \$3,290.00 (the 6’X10’ is \$1,295.00 and the 7’x18’ is \$1,995.00). Since the Town’s CY 2012 Capital Equipment Budget Line Item for the purchase of the mowing equipment is funded at \$50,000.00, the Administration is proposing that funding for the purchase of the mowing equipment come from the Town’s Public Works Capital, Equipment Line Item and that funding for the trailer and sweeper come from the Public Works, Equipment Purchase, Line Item in the Town’s CY 2012 Budget. This combination of funding sources provides sufficient funding to cover the costs of any of the proposed options. Should the Board wish to proceed with the proposed purchases, a motion would be in order to authorize the purchase of mowing equipment at a cost not to exceed \$59,000.00, with funding to come from the CY 2012 Budget Accounts as identified. Additionally, staff would like Board authorization to sell the Town’s existing car trailer for not less than \$1,250.00 and junk the Town’s existing utility trailer for salvage value.

- Administrator Johnston reviewed the information staff collected regarding the purchasing of the equipment needed for mowing the cemeteries and parks in the Town.
- Discussed the prices that staff recommended for selling the existing equipment.

MOTION:

Motion by: Supervisor Erdman

Seconded by: Supervisor Schmidt

Motion to give Chairman Luebke, Town Administrator Johnston and Public Works Forman Pamenter the authority to make the best possible decision for selling the equipment.

Motion carried by unanimous voice vote.

MOTION:

Motion by: Supervisor Schmidt motion to purchase
Seconded by: Supervisor Geise
Motion to purchase the mowing equipment
Discussion on the prices relative to government discounts.
Carried by unanimous vote

- D. Discussion/Action: Town Board review and consideration of the Town Administrator's CY 2011 Performance Evaluation and Employment Agreement for CY 2012 and 2013.

MOTION:

Motion carried by unanimous consent to table this agenda item until the Town's organizational meeting next week

- E. Discussion/Action: Town Board review and direction to staff relative to possible long term debt financing to be issued by the Town of Clayton with Michael S. Hallmann of Lantern Associates, LLC.

The Board has received copies of the material provided to the Town by Michael S. Hallmann (Mike) of Lantern Associates, LLC. As the Board knows, Mike is proceeding with having the Town rated by an Agency (Moody's or Standard & Poor's). The Administration has always taken the position that a rating is an investment and that it would be reasonable to pay for the cost of a rating if the return on the investment would be a minimum of 100% of the rating costs. Specifically, if the rating cost is \$7,500.00 the return should be a minimum of \$15,000.00. The spread between a rated issue and a non-rated issue continues to stay fairly wide, keeping the return in the \$30,000.00 range on a \$7,500.00 rating cost. Please be advised that the returns are spread over the ten years of the issue. The rating issue is the only real change from Mike's previous presentation. This item is on the Board's agenda so that any questions the Board may have prior to considering the Resolution Authorizing the GO Debt can be researched and answers provided in a timely manner.

- Johnston presented to the board an e-mail from 2007 giving more information on the research of the Town's debt financing
- Discussed the long-term debt financing and the impact of the debt on the tax levy

MOTION:

NO MOTION

- F. Discussion/Action: Board discussion and direction to staff relative to the potential agenda items for consideration at the Town's Annual Electors Meeting.

This item was placed on the Agenda at the Administrator's request so that the Board could give staff direction on which items it would like to see on the agenda for the Annual Meeting of the Town's Electors. Supervisor Lettau has asked that the item be placed on the Board's Wednesday, April 4th, 2012 meeting agenda for further discussion. Specifically, Supervisor

Lettau indicated that she would like to review the property purchase issues on the Agenda and the authorization of the Town Constables Position.

- 1) Call to Order by the Town Chair.
- 2) Recognition of Hans Christianson and Christian Billstrom for achieving Eagle Scout status.
- 3) Approval of the Minutes of the CY 2011 Annual Meeting.
- 4) Presentation by the Town Chair and Elected Officials.
- 5) Presentation of the Town's CY 2011 Audit.
- 6) Reports by Town staff:
 - a) Town Assessor
 - b) Town Building Inspector
 - c) Clayton/Winchester Fire Chief
 - d) Clayton/Winchester First Responder Report
 - e) Town Administrator
- 7) An update on the Town/Fire Hall remodeling project.
- 8) Town Electors review of the Creation of a Town Wide Storm Water Utility District.
- 9) Town Electors approval of the Town Board wages.
- 10) Town Electors authorization of a Town Constable Position.
- 11) Town Electors authorization to purchase the Reif property located at 8366 CTR T, Tax ID # 006-053502.
- 12) Town Electors authorization to purchase the Wiedenbeck property located at 8322 CTR T, Tax ID # 006-053506
- 13) Town Electors Authorization to purchase the Marshall property located at 8328 CTR T, Tax ID # 006-053508
- 14) Town Electors Authorization to accept a donation of land by Jean and Peter Noffke for property located at 2632 CTR JJ, Tax ID # 006-0906.
- 15) Setting the Annual Meeting date for CY 2013 – 3rd, Tuesday in April or within 10-days following that date (Per Wisconsin Statutes Act 115).
- 16) Town Elector Proposed Agenda Items.
- 17) Adjourn Sine Die.

The Board can remove or change any of the Agenda items at its discretion. However, please be advised that the Town Board cannot purchase land, accept a donation of land, or create the Constable position without Town Elector approval. Additionally, Town Elector approval does not bind the Board to an action, it simply authorizes the Board to take the action.

- Mr. Johnston and the Supervisors discussed the proposed agenda for the annual meeting

MOTION:

Motion carried by unanimous consent to accept the proposed agenda for the annual meeting.

XI. Upcoming Meeting Attendance

- A. Reorganizational meeting for Tuesday, April 10, 2012, 8 a.m. at Town Meeting Room
- B. Plan Commission Networking Meeting at Coughlin Center April 25, 2012, 6:30 p.m. – 8:00 p.m.

- XII. Board Member Requests for Future Agenda Items
 - A.
- XIII. Review of Disbursements
 - A. Town Board Reviewed disbursements.
- XIV. Adjournment – 8:48 P.M.

MOTION:

Motion carried by unanimous consent to Adjourn

Respectfully submitted,
Tori Bowen, Treasurer